

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 1260 - SB 1308**

February 26, 2023

**SUMMARY OF BILL:** Establishes additional requirements concerning the use of trotlines for fishing.

Creates a Class B misdemeanor offense for violation of certain statutory trotline guidelines. Any trotline made, possessed or used in violation of such guidelines is considered contraband and subject to seizure by law enforcement.

Establishes a cause of action for a person who suffers bodily injury or death resulting from the use of trotlines inconsistent with such guidelines. Establishes a defense to prosecution for interfering with another person's trotline if it was to prevent or remedy a clear and present danger posed by a trotline to the person or another person who was lawfully using the waters of this state.

**FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- This legislation will require that all who use trotlines conform to additional requirements for their usage.
- Based on information provided by the Tennessee Wildlife Resources Agency (TWRA), approximately 40 of the 270 commercial fishers in Tennessee currently use trotlines to harvest catfish.
- It is assumed that the majority of commercial fishers will adhere to these new guidelines, rather than risk violating the proposed legislation.
- TWRA officers already enforce fishing regulations. Enforcement of these additional guidelines will not significantly impact agency staffing or operations.
- Creating a new Class B misdemeanor offense for inappropriate use of trotlines is estimated to result in no sufficient number of prosecutions or convictions for local government to experience any significant increase in revenue or expenditures.
- This legislation may result in individuals injured by a trotline to seek a cause of action against the owners of such trotlines.
- Any litigation entered into as a result of inappropriate use of trotlines is assumed to be between private parties, and thus, will have no significant impact on state or local government operations.

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- Providing a defense to prosecution for interfering with another person's trothline under certain circumstances will not significantly decrease the number of cases in the court system.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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